

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:
YURIEL ESTEBAN CROS VAZQUEZ
BETZABE MONTEJOS REYES

DEBTOR (S)

CASE NO. 07-07062-SEK

CHAPTER 13

**TRUSTEE'S UNFAVORABLE REPORT
ON PROPOSED POST CONFIRMATION PLAN MODIFICATION**

TO THE HONORABLE COURT: NOW COMES, José R. Carrión, Chapter 13 Trustee, and very respectfully alleges and prays:

This is the Trustee's position regarding the request, under **11 U.S.C. §1329**, for the confirmation of a Chapter 13 Plan.

Debtor(s)' Income: **Above Median / 60 months commitment period.**

Gen Unsecured Pool: **\$11,508.60**

The **LIQUIDATION VALUE** of the estate has been determined in **\$0**

R2016 STM. \$3,000.00

TOTAL ATTORNEYS FEES THRU PLAN: \$2,800.00 Fees paid: \$2,800.00 Fees Outstanding: \$0.00
--

With respect to the proposed (amended) Plan dated: **10/15/2010** (Dkt 47).

Plan Base: **\$8,120.00**

The proposed (amended) plan can not be confirmed because it has the following deficiencies:

- Feasibility [§1325(a)(6)]

Debtor intends to the default with the terms of the plan by reducing retroactively the monthly payments from \$1,100.00 to \$900.00. Payment schedule must reflect debtor's payment history.

- Feasibility [§1325(a)(6)]: Default in payments to Trustee.

Arrears under proposed plan as of this date totals \$900.00 (1 month), next payment will become due on 10/30/10. In order to obtain a favorable report, debtor must be up to date in payments with Trustee.

Due to the above described deficiencies in the proposed plan the Trustee Objects to the Confirmation of the same.

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(s), and to her/his/their attorney through CM-ECF notification system.

In San Juan, Puerto Rico this October 26, 2010.

/s/ Jose R. Carrion

/s/ Jose R. Carrion

JOSE R. CARRION

CHAPTER 13 TRUSTEE

PO Box 9023884, San Juan, PR 00902-3884

Tel. (787) 977-3535 Fax (787) 977-3550

ms